

**James King**

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**From:** James King  
**Sent:** 17 July 2007 14:28  
**To:** 'Weller, Charles G.'  
**Cc:** Enston, Matthew B.  
**Subject:** RE: "Apostolos II" C/P dd 04.04.07 - WITHOUT PREJUDICE  
**Importance:** High

Dear Charles

Thank you for your e-mail.

It is debatable that your Clients' offer last Friday did require a revision of clause 30, but regardless of that, what are your Clients' proposals in this regard, given that this is their offer? My Clients now wish correspondence to take place between the lawyers only, so please send me a copy of what your Clients will be sending to my Clients.

In the meantime, I must reserve my Clients' rights.

I look forward to hearing from you by return.

Kind Regards

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**From:** Weller, Charles G. [mailto:[CWeller@ReedSmith.com](mailto:CWeller@ReedSmith.com)]  
**Sent:** 17 July 2007 14:20  
**To:** James King  
**Cc:** Enston, Matthew B.  
**Subject:** RE: "Apostolos II" C/P dd 04.04.07 - WITHOUT PREJUDICE

We refer to your emails today. We have drawn your request for news to ESTC's attention and we are instructed that their response to TRC is currently expected to be with TRC for their opening today. ESTC's response is in light of the fact that the acceptance of ESTC's offer appears to be incomplete and requires clarification: TRC's recapitulation of ESTC's proposal was silent as to the required revision of clause 30.

Regards

**Charles Weller**  
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**From:** James King [mailto:[jking@winterscott.co.uk](mailto:jking@winterscott.co.uk)]  
**Sent:** 17 July 2007 14:08  
**To:** Enston, Matthew B.  
**Cc:** Weller, Charles G.  
**Subject:** FW: "Apostolos II" C/P dd 04.04.07  
**Importance:** High

Dear Matthew

Further to my e-mail below, I have to go into a meeting shortly, but I would like to know what your Clients' position is, by 4:30pm London time today, as I would like to be in a position to advise my Clients on their opening, as to their options.

Kind Regards

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**From:** James King  
**Sent:** 17 July 2007 12:10  
**To:** 'Enston, Matthew B.'  
**Cc:** Weller, Charles G.  
**Subject:** RE: "Apostolos II" C/P dd 04.04.07  
**Importance:** High

Dear Matthew

Do you have any news for me? I don't like to press, but the position is simple, and should be capable of a quick response: either your Clients accept that the parties have a new fixture, in which case they should not be advising other parties otherwise, or they do not, in which case my Clients need to know so that they can fix a substitute vessel (and in that case, your Clients will of course be liable for the full market rate, and not the discounted mitigation rate).

Also, could you provide me with copies of your Clients' correspondence with the Master following my Clients' acceptance of our Clients' offer last Friday?

I look forward to hearing from you at your earliest convenience.

Kind Regards

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